THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.23803 of 2007

Between:

B.Ramadasu and others.

.. PETITIONERS

and

The District Collector, Mahabubnagar and others.

.. RESPONDENTS

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ORDER:

It is the case of the petitioners that the 3rd respondent assigned the lands admeasuring Ac.2-00 gts. in favour of the 1st petitioner and Ac.0-04 gts. in favour of the father of the 1st petitioner. Thus, the 1st petitioner is in possession and enjoyment of the land admeasuring Ac.2-04 gts. It is stated that the 2nd petitioner was assigned the land admeasuring Ac.2-03 gts., the 3rd petitioner was assigned the land admeasuring Ac.0-04 gts., the 4th petitioner was assigned the land admeasuring Ac.1-06 gts., the 5th petitioner was assigned the land admeasuring Ac.0-31 gts., and the 6th petitioner was assigned the land admeasuring Ac.0-04 gts. in Sy.No.584 situated at Wanaparthy Village and Mandal, Mahabubnagar District, in the year 1974 for the purpose of agricultural activities. It is stated that they never converted the said lands into plots or alienated the same. While so, the total extent of the land i.e., Ac.11-35 gts., in Sy.No.584 was assigned in favour of various persons and the 3rd respondent resumed the lands in question through proceedings No.C/464/07, dated 26-02-2007. Questioning the said order, petitioners 1 and 2 filed W.P.No.20918 of 2007 before this Court. This Court disposed of the said writ petition on 04-10-2007 permitting the petitioners to file an appeal under Section 4-A (1) of A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 before the Revenue Divisional Officer, Wanaparthy, against the said resumption orders, dated 26-02-2007, within ten days from the date of receipt of the said order. Pending disposal of the appeal, the respondents are directed to maintain status-quo obtaining as on the date of disposal of the writ petition with regard to the possession. It is stated that pursuant to the said order of this Court, petitioners filed appeals before the 2nd respondent and the same are pending. While so, the petitioners came to know about the proceedings issued by the 1st respondent, dated 29-05-2007, directing the 3rd respondent to give advance possession of the Government land to an extent of Ac.10-00 gts. in Sy.No.584/2 of Wanaparthy Village, to the Vice Chairman and Managing Director A.P.S.S.D.C. Limited, A.P., Hyderabad, for construction of Seed

processing Complex at Wanaparthy, and also about the other proceedings issued by the 1st respondent dated 08-08-2007, directing the 3rd respondent to give advance possession of the Government land to an extent of Ac.1-00 in Sy.No.584/2 situated at Wanaparthy Village in favour of Project Director, DWMA, Mahabubnagar, for construction of CLRC building at Wanaparthy.

It is the case of the petitioners that the land assigned in their favour i.e., total admeasuring Ac.6-12 gts., cannot be taken into the Government custody and the same cannot be given to any other organization or institution.

I am of the opinion that when the appeals are pending, it may not be just and proper to independently initiate proceedings to alienate the said lands or give advance possession, insofar as the lands of the petitioners are concerned i.e., Ac.6-12 gts. in Sy.No.584 of Wanaparthy Village and Mandal, Mahabubnagar District.

Accordingly, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the appeals filed by the petitioners in respect of Sy.No.584. Pending disposal of the appeals, the lands in possession of the petitioners shall not be interfered with. There shall be no order as to costs.

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28-11-2007

Prv